

DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No. 16313-0029

6

In re Application of: **Oswaldo da Costa e Silva, Hans J. Bohnert, Nocha van Thielen, Rouying Chen and Manabu Ishitani**

As below named inventors, we hereby declare that:

Our residence, post office addresses and citizenships are as stated below next to our names. We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Phosphatase Stress-Related Proteins and Methods of Use in Plants**", the specification of which:

☐ is attached hereto.

☒ was filed on April 6, 2001 as Application No. 09/828,302.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We do not know and do not believe that the same was ever known or used by others in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application. We further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. We understand that we have a duty of candor and good faith toward the Patent and Trademark Office, and we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

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Application No.CountryFiling DatePriority Claimed Under 35 USC §119

Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/196,001

(Application No.)

April 7, 2000

(Filing Date)

(Application No.)

(Filing Date)

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Send correspondence to: **SUTHERLAND ASBILL & BRENNAN LLP** Direct telephone calls at (404) 853-8000999 Peachtree Street, NE
Atlanta, GA 30309-3996Lisa M. Cobern, Esq.

| | |
|---|----------------------------|
| Full name of sole or first inventor: <u>Oswaldo da Costa e Silva</u> | Citizenship: <u>Brazil</u> |
| Inventor's signature: <u>[Signature]</u> | Date: <u>5/31/01</u> |
| Residence and Post Office Address: <u>203 Littleford Lane, Apex, North Carolina 27502</u> | |

☒ Additional inventors are being named on separately numbered sheets attached hereto.

Attorney Docket No.: 16313-0029

Title: Phosphatase Stress-Related Proteins and Methods of Use in Plants

Page 2

| | |
|--|----------------------|
| Full name of second inventor: Hans J. Bohnert | Citizenship: Germany |
| Inventor's signature | Date: |
| Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710 | |

| | |
|--|---------------------|
| Full name of third inventor: Nocha van Thielen | Citizenship: Canada |
| Inventor's signature | Date: |
| Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513 | |

| | |
|--|--------------------|
| Full name of fourth inventor: Rouying Chen | Citizenship: China |
| Inventor's signature | Date: |
| Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513 | |

| | |
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| Full name of fifth inventor: Manabu Ishitani | Citizenship: Japan |
| Inventor's signature | Date: |
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999 Peachtree Street, NE
Atlanta, GA 30309-3996

Lisa M. Cobern, Esq.

Full name of sole or first inventor: Oswaldo da Costa e SilvaCitizenship: Brazil

Inventor's signature _____

Date: _____

Residence and Post Office Address: 203 Littleford Lane, Apex, North Carolina 27502

☒ Additional inventors are being named on separately numbered sheets attached hereto.

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Title: Phosphatase Stress-Related Proteins and Methods of Use in Plants

Page 2

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|--|----------------------|
| Full name of second inventor: Hans J. Bohart | Citizenship: Germany |
| Inventor's signature <i>H. J. Bohart</i> | Date: 5/30/01 |
| Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710 | |

| | |
|--|---------------------|
| Full name of third inventor: Nocha van Thielen | Citizenship: Canada |
| Inventor's signature | Date: |
| Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513 | |

| | |
|--|--------------------|
| Full name of fourth inventor: Rouying Chen | Citizenship: China |
| Inventor's signature | Date: |
| Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513 | |

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| Full name of fifth inventor: Manabu Ishitani | Citizenship: Japan |
| Inventor's signature | Date: |
| Residence and Post Office Address: 1103 Millhouse Drive, Cary, North Carolina 27513 | |

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| Full name of sole or first inventor: Oswaldo da Costa e Silva | Citizenship: Brazil |
| Inventor's signature | Date: |
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Title: Phosphatase Stress-Related Proteins and Methods of Use in Plants

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| Full name of second inventor: Hans J. Bohnert | Citizenship: Germany |
| Inventor's signature | Date: |
| Residence and Post Office Address: 5400 East Williams Blvd., Apartment 13-208, Tucson, Arizona 85710 | |

| | |
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| Full name of third inventor: Nanna van Thielen | Citizenship: Canada |
| Inventor's signature  | Date: 5.31.2001 |
| Residence and Post Office Address: 206-T Hyde Park Ct., Cary, North Carolina 27513 | |

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| Full name of fourth inventor: Rouying Chen | Citizenship: China |
| Inventor's signature | Date: |
| Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513 | |

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| Full name of fifth inventor: Manabu Ishitani | Citizenship: Japan |
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| Full name of fourth inventor: Ruoying Chen | Citizenship: China |
| Inventor's signature <i>Ruoying Chen</i> | Date: <i>6/5/2001</i> |
| Residence and Post Office Address: 105 Rustic Pine Court, Apex, North Carolina 27502 | |

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| Full name of fifth inventor: Manabu Ishitani | Citizenship: Japan |
| Inventor's signature | Date: |
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| Inventor's signature | Date: |
| Residence and Post Office Address: 105 Collier Place 1-G, Cary, North Carolina 27513 | |

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|---|--------------------------------|
| Full name of fifth inventor: Manabu Ishitani | Citizenship: Japan |
| Inventor's signature <i>Manabu Ishitani</i> | Date: March 5/31/01 |
| Residence and Post Office Address: 1103 Millhouse Drive, Cary, North Carolina 27513 | |